

Title: Ordinance concerning the rezoning of 24.33 acres located south of Interstate 70, north of MD Route 144 on the eastern side of the City, a portion of the property referred to as the “Gateway Property” from General Commercial (GC) to apply the Institutional (IST) zone.

Action: Referred to Council Work Session

Date: July 24, 2025 **Introduced by:** Council President Díaz

Action: Referred to Council ,Work Session

Date: March 26, 2026

Action: Referred to Council Work Session

Date: June 25, 2026

Action: Introduction by Council President

Date: July 16, 2026

Action: 2nd Reading

Date: August 6, 2026

Action: Approved

Summary: This ordinance amends the Official Zoning Maps of the City of Frederick to apply the Institutional (IST) floating zone to a 24.33 acre portion of the Gateway Property that is currently zoned General Commercial (GC), wholly within the Airport Overlay, and partially within the Highway Noise Impact Overlay (HNO). The IST zone is being applied for the purposes of establishing a Cricket facility, classified as a Special Events Center in accordance with § 404, Table 404-1 of the Land Management Code, the *Use Matrix*, subject to the conditions of rezoning established by the City Council.

**THE CITY OF FREDERICK
CITY COUNCIL**

ORDINANCE NO: G-26-7

LEGISLATIVE HISTORY

PLANNING COMMISSION

PUBLIC HEARING: June 9, 2025
July 14, 2025

**RECOMMENDATION
LETTER SUBMITTED
TO CITY COUNCIL:** July 23, 2025

CITY COUNCIL

INTRODUCTION: July 16, 2026

**COMMITTEE MEETING/
COUNCIL WORK SESSSION:** July 24, 2025
March 26, 2026
June 25, 2026

AN ORDINANCE concerning the zoning of 24.33 acres of property located south of Interstate 70, north of MD Route 144 on the eastern side of the City;

FOR THE PURPOSE of amending the Official Zoning Maps of the City of Frederick to apply the Institutional (IST) floating zone to 24.33 acres while maintaining the Airport Overlay (AO) and Highway Noise Impact Overlay (HNO);

BY repealing and reenacting, with amendments,

Section 402

Appendix A, "Land Management Code"

The Code of the City of Frederick, 1966 (as amended)

BACKGROUND

This ordinance pertains to 24.33 acres of land that is a portion of a 48.66 acre property comprised of two parcels more particularly described in L. 8790, F. 257. The 24.33 acres is to be known hereinafter as the "Property". The Official Zoning Maps, as incorporated by reference into the Land Management Code (LMC), indicate that the 47.72 acre property is zoned General Commercial (GC), is within the Airport Overlay, and is partially within the Highway Noise Impact Overlay (HNO).

On November 25, 2024, AcersInfra, LLC, the contract purchaser of the 47.72 acres, filed, with the authorization of Maurice Gladhill of 3M Farm LLC, the owner of the Property, with the Planning Department an application to amend the Official Zoning Maps by rezoning the Property to the Institutional (IST) floating zoning, leaving the remaining area of the 47.72 acres zoned GC.

The Planning Commission held duly advertised public hearings, on June 9, 2025 and on July 14, 2025, for the proposed rezoning of the Property. At the conclusion of the July 14, 2025, public hearing, the Planning Commission recommended that the City Council approve the rezoning with the conditions outlined in their recommendation letter of July 16, 2025.

On July 16, 2026, the Council held a duly advertised public hearing on the proposed rezoning of the Property as described herein, for the specific purpose of considering conditions of rezoning necessary for betterment of the project and the regional area.

At the conclusion of the July 16, 2026 hearing, in accordance with LMC § 307(b), the Council decided to vote to impose certain conditions of rezoning relating to the lands and improvements being rezoned and improvements on surrounding and adjacent lands. The Planning Department notified the applicant of such decision on July 27, 2026. On July 28, 2026, the Applicant accepted the conditions of rezoning in writing.

On August 6, 2026, the Council held a public hearing for the purpose of approving an ordinance to rezone the Property.

SECTION I. NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICK, That in accordance with §306, 307, and 409 of the LMC and based upon review and consideration of the application materials, staff reports, and all other testimonial and documentary evidence, the City Council hereby finds as follows:

In accordance with §306(e)(7):

1. The proposed rezoning is for the purpose of establishing a nonresidential use and therefore, will not generate additional population.

2. The Property has access to public streets, water, and sewer facilities and the adequacy of those facilities to serve the proposed development will be evaluated when a final site plan and/or subdivision is filed in accordance with Chapter 4 of the City Code, *Adequate Public Facilities*.
3. The proposed development has the potential to generate significant impacts on the present and future transportation patterns in the vicinity, and those impacts are most appropriately managed through the implementation of a facility-specific Events Management Plan.
4. The proposed development is compatible with existing and planned development in the area. It is separated from residential uses to the east by the Monocacy River and from residences to the south, by Route 144, an Urban Minor Arterial road per the 2020 Comprehensive Plan. I-70 forms the northern boundary of the proposed development. Other adjacent uses south of I-70 include Chesaco RV sales, the National Guard facility, and agricultural land. North of I-70 are planned industrial uses and existing institutional uses, including the Frederick Municipal Airport, for which initial assessments indicate there will be no adverse impacts.
5. The proposed development supports policies of the 2020 Comprehensive Plan including Municipal Growth Policy 1, Land Use Policies 8 and 12, and Fiscal Policy 2,

In accordance with §306(e)(8):

1. The proposed development complies with the criteria of § 409 of the LMC specific to the IST floating zone, based on the following findings:
 - a. The proposed use is permitted in the IST without an interjurisdictional analysis needed to demonstrate if there are other, more suitable locations outside of the City.
 - b. The site has been selected by the Applicant based on its availability, including size and location, for the proposed use. The land has remained undeveloped since annexation in 2009 indicating that its development for the proposed use is not otherwise competing for a limited supply of land needed for other land uses.
 - c. The proposed development has access to major roadways, including I-70 for regional access and Route 144, intended to carry significant volumes for local traffic. As a condition of rezoning, the owner/operator will execute an Events Management Plan that, amongst other objectives, will establish how event traffic will be managed.
 - d. The proposed development will be compatible with neighboring nonresidential uses and any potential adverse impacts to residential uses will be mitigated through the execution of an Events Management Plan.
 - e. The proposed development is adjacent to the Monocacy River and through the development process will be required to comply with all applicable local, state and federal requirements pertaining to the floodplain, forest conservation, stormwater management, and sediment and erosion control.
2. The proposed development is compatible with the character of the existing uses in the vicinity, which is heavily influenced by its proximity to major transportation corridors and includes a combination of institutional, industrial, agricultural uses as well as residential uses.

3. The proposed rezoning is in harmony with the Comprehensive Plan and supports policies including Municipal Growth Policy 1, Land Use Policies 8 and 12, and Fiscal Policy 2.

SECTION II. AND BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICK, That the Code of the City of Frederick, 1966 (as amended), Appendix A, Land Management Code, § 402, be repealed and reenacted, with amendments, as shown on Exhibit A attached hereto and incorporated herein by this reference, and as further described as follows:

(1) An Events Management Plan must:

- (a)** Be established for all events to be held at the Special Events Center, regardless of expected attendance. The operational measures necessary may be scaled to reflect expected attendance, provided that all events reasonably expected to exceed fifteen hundred (1,500) persons in attendance shall comply with all of the components outlined below.
- (b)** Contain the following components:
 - (i)** Identify all onsite and offsite parking accommodations and vehicular ingress, egress and access points, and describe the measures that will be implemented to mitigate anticipated offsite traffic impacts and to prevent pedestrians from crossing MD 144 in connection with events occurring at the Special Events Center.
 - (ii)** Identify areas where parking for an event will be prohibited and subject to towing (i.e. MD 144, SHA Park and Ride lot, adjacent and nearby neighborhoods). If approved as part of the Events Management Plan, vehicles associated with events occurring at the Special Events Center will be prohibited from parking at any time on local residential streets, to be coordinated with and enforced by the Frederick County Sheriff's Office.
 - (iii)** Describe the security planning, procedures, staffing, emergency services, neighborhood protections and other measures that will be implemented to ensure the safety of event participants and the general public.
 - (iv)** Describe the facilities planning, procedures and other measures that will be implemented to ensure that adequate temporary sanitary sewer, water and utilities will be provided to event participants and the general public to serve the increased capacity needs during the event.
 - (v)** Describe any recording equipment, sound amplification equipment, banners, lighting, signs or other attention getting devices to be used in connection with the event.

- (vi) Identify the proposed means to ensure compliance with the approved Events Management Plan by the employees, invitees and customers of the property.
 - (vii) Include a sketch plan depicting the locations of all onsite and offsite parking, path of travel for pedestrians to and from the offsite parking, all vehicle entrance and exits for offsite parking to the event, directional signage and location of traffic control and enforcement personnel. If off-site parking is provided by a vehicular "shuttle service" to and from the property and an off-site parking lot, then the sketch plan shall also show proposed route(s) of the shuttle service, the number, size and type of shuttle vehicles, the shuttle service schedule and hours of operation, and the number of projected users.
 - (viii) Address any expected costs of additional services related to public safety or public works and commit the property owner to the payment of those costs.
- (c) Be prepared in consultation with all applicable stakeholders, as identified by the COO, including, to the extent willing to participate, the property owner, the ownership team consultants, a City Council member, a representative of the Frederick Police Department, a representative from Frederick County government, a representative from the Frederick County Sheriff's Office, at least one (1) homeowners association representative from an adjacent subdivision, and a representative from the Maryland Department of Transportation, State Highway Administration (SHA). The COO may request such additional information from the property owner as he or she deems necessary in connection with the review of the Events Management Plan.
 - (d) Be approved by the Chief Operating Officer, prior to unconditional approval of the final site plan for the Special Events Center, be updated annually on or before April 1, and always remain in effect. The COO may consult with the stakeholders group to review the Events Management Plan following the first event, and from time to time thereafter, as deemed necessary in the COO's discretion. Revisions to the Events Management Plan must follow the same process for approval.
 - (e) For purposes of this ordinance, "Chief Operating Officer" or "COO" means the Chief Operating Officer, the COO's designee, or another employee designated by the Mayor.
- (2) Should the City of Frederick, by subsequent resolution, ordinance, or executive order, establish an Events Management Commission (or similarly named body), that commission may perform any of the functions given to the COO or the stakeholders group by this ordinance, as further described in the resolution, ordinance, or

executive order establishing the commission.

- (3) Vehicles associated with the Special Events Center may not park at any time in the SHA Park and Ride lot, unless expressly approved by SHA.
- (4) The number of professional cricket matches shall not exceed fifteen (15) in the first calendar year. In subsequent calendar years, the number of professional cricket matches shall not exceed fifteen (15) per year without the approval of the COO, in consultation with the stakeholders group.
- (5) During the first calendar year of operations of the Special Events Center, the number of events at which attendance is reasonably anticipated to exceed fifteen hundred (1,500) persons shall not exceed ten (10). Any increase in the number of such events (beyond 10 per calendar year) is subject to the approval of the COO, in consultation with the stakeholders group. These restrictions do not apply to professional cricket matches, which are addressed in Condition 4 above.
- (6) The use of fertilizers and other chemicals on the fields within the Special Events Center shall comply with the Maryland Fertilizer Use Act of 2011, as the same may be amended from time to time.
- (7) Stormwater management shall be regulated in accordance with State and local law as administered by the City of Frederick pursuant to the City Code.
- (8) The owner shall obtain a Nontidal Wetlands and Waterways Permit from the Maryland Department of the Environment (MDE) authorizing the grading and construction within the 100-year floodplain necessary to construct the Special Events Center prior to public use of or access to the Special Events Center. If MDE does not issue the Nontidal Wetlands and Waterways Permit, the Special Events Center shall be relocated outside of the 100-year floodplain or the project will not proceed.
- (9) No aerial displays of fireworks, or use of drones, lasers, or bright upward pointing lights shall be permitted without prior approval by the City of Frederick Airport Manager, and which will be limited in nature, as these activities can represent hazards to aircraft.
- (10) Disclosures shall be provided for any users of the Special Events Center about the Airport Overlay district language and awareness that they are subject to 24 hours 7 days a week aircraft operations, noise, and emissions.
- (11) All events at the Special Events Center must comply with the City Code related to noise emissions. The applicant will provide on-site sound monitoring equipment to assist the Frederick Police Department in the enforcement of the City's noise regulations.
- (12) All events at the Special Events Center must comply with the City Code related to lighting emissions.

- (13) Ingress and egress to the Special Events Center shall be addressed at the time of site plan approval for the Special Events Center and shall include an analysis of how to best minimize disruption of traffic flow caused by the SHA Park and Ride.
- (14) The development of the Special Events Center shall comply with the requirements of the City's Adequate Public Facilities Ordinance, including but not limited to traffic.
- (15) The cricket field to be developed within the Special Events Center shall be configured to permit not less than two (2) additional playing fields to be utilized within the boundaries of the cricket field for other sporting uses.
- (16) Any event at the facility reasonably anticipated to have ten thousand (10,000) or more individuals in attendance at any one time must comply with the provisions of the City Code as it pertains to Special Events, for Large Private Events.
- (17) Cricket matches and special events shall not be scheduled past 11 p.m.

SECTION III. AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICK, That in the event any provision, section, sentence, clause, or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this ordinance, it being the intent of the City that such remainder shall be and shall remain in full force and effect.

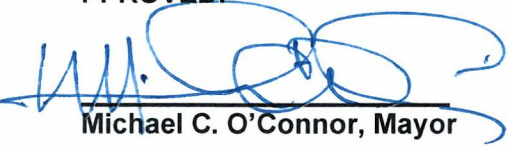
SECTION IV. AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF FREDERICK, That this ordinance shall take effect on August 16, 2026, and all other ordinances or parts of ordinances inconsistent with the provisions of this ordinance will as of that date be repealed to the extent of such inconsistency.

PASSED:



César Díaz City Council President

PPROVED:



Michael C. O'Connor, Mayor

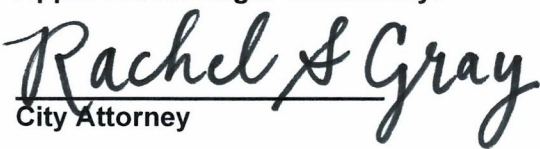
DATE:

August 6, 2026

DATE:

August 11, 2026

Approved for Legal Sufficiency:



Rachel A. Gray
City Attorney



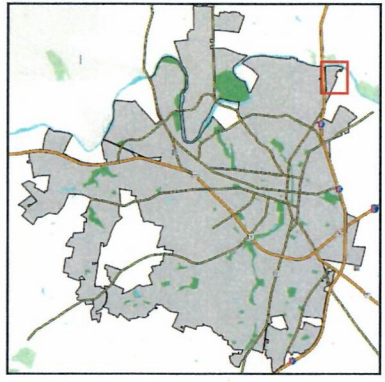
FREDERICK

MARYLAND

Base Zoning
8400 A E Patrick Street

-  Subject Area
-  GC (General Commercial)
-  M1 (Light Industrial)


101 N Court St.
Frederick, MD 21701
301-600-6209
www.cityoffrederickmd.gov



Note: This map is prepared solely for the purpose of illustrating the City of Frederick. It should be used for no other purpose. This map is not a legal document. Aerial imagery produced: 2018

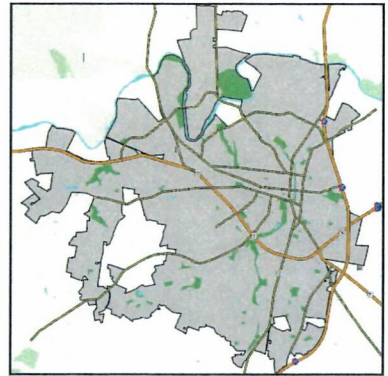
FREDERICK MARYLAND

Floating/Overlay Zoning
8400 A E Patrick Street

-  Subject Area
-  GC (General Commercial)
-  IST (Institutional)
-  M1 (Light Industrial)
-  Highway Noise Impact Overlay



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